

## Volusia County Sheriff's Office Citizen Complaint Report

**Incident Entered By:** SGT Jeffrey Wingard - 2475

**Assigned Investigator:** [Incident pending assignment]

### Incident Details

<b>Date Received</b>	<b>Date of Occurrence</b>	<b>Time of Occurrence</b>
8/20/2019	8/16/2019	20:00
<b>Record ID #</b>	<b>Agency Case #</b>	<b>File #</b>
25827	CC-	CC 19-028
<b>Date/Time Entered</b>		
8/21/2019 10:40		

### Incident Summary

On August 20, 2019, at approximately 1225 hours, Sergeant Jeff Wingard received a text message from the Volusia County Sheriff's Office Public Information Officer, Andrew Gant. The text was a screen shot of an Instagram (social media website) post he received off of the Volusia County Sheriff's Office Instagram page from Friday, August 16, 2019, from Cyrus Pflueger. The social media post alleges Deputy Justin Lococo got into the complainant's face (Cyrus Pflueger's) and stated, "Do we have a problem?". Pflueger responded with, "No sir, we don't". Deputy Lococo then reportedly stated, "Leave the campus immediately", and "If you don't leave I'll throw you into my car and haul your ass to jail." C. Pflueger stated in the post he was scared by these statements from Deputy Lococo and walked away. The screenshot of the text message is attached to this inquiry.

On August 20, 2019, at approximately 1300 hours Sergeant Wingard contacted Deputy Lococo while he was at Spruce Creek High School and inquired about the incident from Friday night at Spruce Creek High School's football game, which took place at the school's football stadium on campus. Deputy Lococo advised Sergeant Wingard he vaguely remembers Dr. Keshia Rentz, the Dean of Students for Spruce Creek High School, ejecting several students from the game and off the property for causing a disturbance. Deputy Lococo advised he was exiting the bathroom and saw Dr. Rentz loudly speaking to a male student telling him to leave. As Deputy Lococo was walking toward Dr. Rentz and the student, the student walked away toward the parking lot. Deputy Lococo asked Dr. Rentz if everything was okay and she responded that the student was leaving. Deputy Lococo vaguely remembers repeating what Dr. Rentz said to him and possibly the student overheard him, but no words were exchanged between he and the student, who was never identified by name to either Deputy Lococo or Dr. Rentz. Deputy Lococo did not activate his BWC as he did not conduct any law enforcement action during the incident.

On August 20, 2019, at approximately 1330 hours Sergeant Wingard contacted Dr. Rentz at Spruce Creek High School and inquired about the incident. Dr. Rentz stated she was handling a disturbance between three young female students that was occurring at the football game. She was ejecting the three students and a young white male student, later identified as Cyrus Pflueger, interjected himself into the incident and began asking what was going on. Dr. Rentz stated to Sergeant Wingard she told him (Pflueger) to mind his own business that this didn't concern him. Dr. Rentz advised that Pflueger began to argue with her by yelling so she told him to leave also. Dr. Rentz advised she saw Deputy Lococo walking up as she was telling Pflueger to leave. Dr. Rentz advised Pflueger was walking off as Deputy Lococo got to her. Deputy Lococo asked her what was going on, she explained it to him, and he repeated what she said as a confirmation conversation that the incident was over and the students were leaving. Sergeant Wingard asked Dr. Rentz if Deputy Lococo had any conversation with Pflueger at any time and she stated he did not. Deputy Lococo stood with her as the students left the area and never followed or spoke to Pflueger.

On August 20, 2019, at approximately 1500 hours, Sergeant Wingard contacted Pflueger by phone. Pflueger was asked to explain what happened Friday night at the football game. He explained the previously mentioned information again. Sergeant Wingard asked him if he was sure it happened the way he wrote in the Instagram post and Pflueger stated that was correct. Sergeant Wingard asked Pflueger if he wished to make a formal complaint on Deputy Lococo and he advised he would. Sergeant Wingard asked him how old he was and he stated 16 years old. Sergeant Wingard asked for his mother and father's phone numbers so he could contact them and apprise them of the situation and Pflueger provided his father's, Jerry Pflueger, phone number which was 386-795-2396. Pflueger was asked if anyone witnessed the incident and he advised Lana Jackson, Gianna Scott, and Lia Shamp, were standing there when it happened.

On August 20, 2019, at approximately 1530 hours, Sergeant Wingard attempted to contact J. Pflueger via phone. A detailed message was left for him and a request to return the phone call.

On August 20, 2019, at approximately 1600 hours, Sergeant Wingard obtained the phone number for Negar Afshar, C. Pflueger's mother. A detailed message was left for her and a request to return the phone call.

On August 20, 2019, at approximately 1655 hours, Sergeant Wingard received a phone call from Afshar to his county cell phone. Afshar was apprised of the situation and asked if she knew about the complaint. Afshar advised she knew nothing of the incident as her son was with his father, J. Pflueger, all weekend. Afshar explained to Sergeant Wingard her son has Tourette's Syndrome and has impulse control problems and yells when being confronted by authority figures. Afshar explained that her son is with his father on the weekends and these types of problems always happen because of a lack of supervision on the weekend and she is left to deal with it and straighten it out during the week. Afshar was asked if she wished to file a complaint on her son's behalf, and she advised she does not. Afshar indicated she is the primary parent as she and J. Pflueger are divorced. Afshar advised she would speak to her son about the incident and call Sergeant Wingard back.

On August 21, 2019, at approximately 0800 hours, Sergeant Wingard received a return phone call from Afshar. Afshar stated her son said the story is the same as he reported to Sergeant Wingard on the previous day. Afshar reiterated that she does not wish to file any complaint on her sons behalf and counseled him on being respectful and minding his own business when the situation does not involve him. Sergeant Wingard advised Afshar he interviewed Dr. Rentz, and she advised the incident did not happen the way her son claimed.

On August 21, 2019, at approximately 0830 hours, Sergeant Wingard contacted Regina Scott, a female witness to the event. Scott advised the incident did not happen the way Cyrus Pflueger explained. Scott stated to Sergeant Wingard she has witnessed Cyrus lie multiple times since they have been friends and he is known as a liar "to everyone".

Based on the witness interviews from the accused, and two independent witnesses, Sergeant Wingard concludes the incident is unfounded. No discipline is recommended against Deputy Lococo.

## Incident Location

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- 801 Taylor Road, Port Orange, FL 32119 - Location of Occurrence: District 3 South

## Categories

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## Reporting/Involved Citizen Information

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### Cyrus Pflueger

DOB:    Race: White    Ethnicity:    Gender: Male

#### Address

- 942 Duncan Road, South Daytona, FL 32119

#### Role

- Victim

## Involved Employees

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### DEP Justin Lococo - DID #: 8229

**Assignment at time of incident:** Title: DEP CSSR

**Video Footage:** [No Response]

**Role**

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**Allegations linked to this employee**

- Discourtesy

## Citizen Witnesses

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**Negar Afshar**

**DOB: 8/19/1971 - Race: White - Gender: Female**

**Address**

- 942 Duncan Road, South Daytona, FL 32119

**Role**

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**Keshia Rentz**

**DOB: 8/19/1979 - Gender: Female**

**Role**

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**Regina Scott**

**DOB: 7/15/2004 - Race: White - Gender: Female**

**Address**

- 801 Taylor Road, Port Orange, FL 32119

**Role**

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## Tasks

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No tasks to show
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## Running Sheet Entries

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No running sheet entries to show
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## Attachments

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Date Attached	Attachment Description	Attachment Type
8/21/2019	Screenshot of Instagram social media post from Cyrus Pflueger	msg

## Assignment History

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Sent Dt	From	To
9/19/2019	Sergeant Ryan Mills	(None Specified)
<b>Assignment notes</b> Field status changed in IAPro from To IA to Released		
<b>Email sent to receiver</b> No email sent		
9/19/2019	Sergeant Ryan Mills	(None Specified)
<b>Assignment notes</b> Released back to IAPro		
<b>Email sent to receiver</b> No email sent		

## Chain of Command History

Routing #1	
Sent From:	SGT Jeffrey Wingard
Sent To:	LT Michelle Newman
CC:	LT Thomas Tatum
Sent Date/Time:	8/27/2019 3:56 PM
<b>Instructions from SGT Jeffrey Wingard to LT Michelle Newman:</b>	
Supervisor Inquiry for Deputy Lococo attached.	
<b>Comments/Response from LT Michelle Newman:</b>	
Comments: [Forwarded by LT Michelle Newman]	

Routing #2	
Sent From:	LT Michelle Newman
Sent To:	CAPT Erik Eagan
CC:	(none)
Sent Date/Time:	8/28/2019 4:20 PM
<b>Instructions from LT Michelle Newman to CAPT Erik Eagan:</b>	
For your review.	
I concur with Sgt. Wingard's findings that this complaint is UNFOUNDED.	
<b>Comments/Response from CAPT Erik Eagan:</b>	
Comments: I concur with Sgt. Wingard's findings that this complaint is UNFOUNDED.	

Routing #3	
Sent From:	CAPT Erik Eagan
Sent To:	Admin Group
CC:	(none)
Sent Date/Time:	9/5/2019 1:28 PM
<b>Instructions from CAPT Erik Eagan to Admin Group:</b>	
FYR	
<b>Comments/Response from CAPT Eric Westfall:</b>	
Comments: [Forwarded by CAPT Eric Westfall]	

Routing #4	
Sent From:	CAPT Eric Westfall
Sent To:	DCHF Timothy Morgan
CC:	(none)
Sent Date/Time:	9/5/2019 2:59 PM
<b>Instructions from CAPT Eric Westfall to DCHF Timothy Morgan:</b>	
Concur.	
<b>Comments/Response from DCHF Timothy Morgan:</b>	
Comments: [Forwarded by DCHF Timothy Morgan]	

Routing #5	
Sent From:	DCHF Timothy Morgan
Sent To:	CHDP Joseph Gallagher
CC:	(none)
Sent Date/Time:	9/6/2019 12:36 PM
<b>Instructions from DCHF Timothy Morgan to CHDP Joseph Gallagher:</b>	
Chief I am good with their findings of UNFOUNDED.	
<b>Comments/Response from CHDP Joseph Gallagher:</b>	
Comments: [Forwarded by CHDP Joseph Gallagher]	

Routing #6	
Sent From:	CHDP Joseph Gallagher
Sent To:	Admin IA
CC:	(none)
Sent Date/Time:	9/19/2019 9:43 AM
<b>Instructions from CHDP Joseph Gallagher to Admin IA:</b>	
Concur	
<b>Comments/Response from SGT Ryan Mills:</b>	
Comments: [Forward to IAPro by SGT Ryan Mills]	

**Assigned Investigator Signature Line**

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[Incident pending assignment]

**Chain of Command Signature Lines**

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LT Michelle Newman

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CAPT Erik Eagan

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CAPT Eric Westfall

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DCHF Timothy Morgan

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CHDP Joseph Gallagher

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SGT Ryan Mills